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Paper No. 16

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In re Application of :
Kiichi Hama et al :
Application No. 09/478,370 :
Filed: February 16, 2000 :
Attorney Docket No. 7363.0010 :

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 11, 2001, to revive the above-identified application.

The petition is GRANTED.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed March 27, 2001, which set a shortened statutory period for reply of three (3) months. A reply under 37 CFR 1.113 is limited to an amendment that *prima facie* places the application in condition for allowance or a Notice of Appeal (and appeal fee required by 37 CFR 1.17(b)). Since the amendment submitted does not *prima facie* placing the application in condition for allowance, no Notice of Appeal (and appeal fee) was timely filed. Extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on September 28, 2001.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.

The application file is being forwarded to Technology Center AU 1763 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.



Wan Laymon

Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner

for Patent Examination Policy